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City of Amesbury
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Amesbury, MA 01913

Ad Hoc Committee of the Whole on Rules
March 12, 2024
7:00 PM in the City Council Chambers

President Scott Mandeville called the meeting to order at 7:07 PM.

Roll call was taken, and present were Councilor Steven Stanganelli, Councilor Michael Hogg, Councilor Nicholas Wheeler, Councilor Pamela Gilday, Councilor Owen Corcoran, President Scott Mandeville, Councilor Jessica Redfern, Councilor Claudel Frederique, and Councilor Anthony Rinaldi.

Also present: Assistant City Clerk Justin Kaiser

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Appointment of Chair and Vice Chair

President Mandeville opened the floor for nominations for Ad Hoc Committee Chair.

**Councilor Gilday offered a nomination for President Mandeville as Ad Hoc Committee Chair. Councilor Redfern seconded.**

**Councilor Stanganelli offered a nomination for Councilor Hogg as Ad Hoc Committee Chair. No second was offered.**

President Scott Mandeville closed nominations for Ad Hoc Committee Chair.

**A vote was taken for the nomination of President Mandeville for the position of Ad Hoc Committee Chair. The nomination passed 8-0-1, Councilor Hogg abstained.**

President Mandeville opened the floor for nominations for City Council Vice President.

**Councilor Gilday offered a nomination for Councilor Hogg as Ad Hoc Committee Vice Chair. Councilor Redfern seconded.**

President Mandeville closed nominations for Ad Hoc Vice President.

**A vote was taken for the nomination of Councilor Hogg for the position of Ad Hoc Committee Vice Chair. The nomination passed unanimously, 9-0.**

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Approval of 2024 Schedule

- President Mandeville stated that there is not a specific draft agenda and that the committee will meet as many times as necessary to approve rules changes.

- Councilor Wheeler asked how many meetings will be required to submit a rules packet; President Mandeville estimated that it may take one or two more meetings.

Councilor Gilday offered a motion to table this item. Councilor Hogg seconded, and the motion passed 8-0-1, Councilor Stanganelli abstained.

Public Comment

- Brock Omohundro, 198 Market Street, asked councilors to attend the upcoming school budget meeting and expressed support for the creation of a Joint City Council and School Committee meeting.
- Michelle Leblanc, 162 Elm Street, asked the councilors to review materials that were sent to them regarding town softball fields and requests transparency and funding for the fields.
- Crystal Sorgini, 82 Prospect St, spoke on town softball fields and asks that councilors review her organization's requests and provide transparency for the funding process.

No councilor response to public comment.

2024-002 – City Council Fourteenth Session Rules and Procedures 2024

- President Mandeville stated the charge of this working group and asked if councilors have general comments regarding City Council rule changes.
- Councilor Redfern asked if there is a way for the councilors and members of the public to access meeting minutes faster. Councilor Gilday stated that minutes are only publicly available after the council approves them at the following meeting and that councilors have access to review the minutes for approval before the meeting.
- Councilor Wheeler stated that the table of contents in the current rules packet is incorrectly numbered and should be fixed.
- Councilor Gilday asked to consider specific proposals before considering broader concepts.

2024-016 An Ordinance to adopt changes to Amesbury City Council 14th Session Rules by revising Rule 6G Appeal

- President Mandeville read the full proposal into the record.
- Councilor Stanganelli stated that this proposal is based on confusion surrounding motions to appeal the decision of the chair from the previous council. It is further stated that this proposal would attempt to clarify the rules surrounding these appeals.
- Councilor Gilday summarized the proposal as she understands it and states that the matter may have already been resolved by city legal counsel.
- Councilor Wheeler stated that while it may be best that the language surrounding an appeal be made more flexible but that the language should come from city legal counsel. It is further stated that the appeal of a chair's decision should be a rare occurrence. It is further stated that if this rule is being reconsidered that something the committee should consider is allowing discussion on the matter of a chair appeal so that the councilor appealing the decision can explain the purpose of the appeal.
- Councilor Stanganelli asked how the decision to allow discussion on the question of a chair appeal would impact Robert's Rules; Councilor Wheeler stated that Robert's Rules already

allows for discussion on the question of a chair appeal and that the current prohibition on it comes from the City Council's rules. Councilor Rinaldi agreed with Councilor Wheeler's assessment.

- Councilor Redfern expressed support for the three changes put forth in this proposal.
- A brief discussion was held regarding the broader adoption of the rules and if the Ad Hoc Rules committee should be a standing committee to consider clerical changes.

Councilor Wheeler offered an amendment to delete the third sentence in the first paragraph of Rule 6G which states “No debate shall be permitted upon the question of appeal.” The amendment would further strike the language in paragraph two of Rule 6G: “as the judgement of the council” for the new sentence to read: “Shall the decision of the chair stand?” Second by Councilor Gilday. The amendment passed unanimously 9-0.

Councilor Gilday motioned to send 2024-016 as amended to the Ordinance and Administration subcommittee with a positive recommendation. Second by Rinaldi. The motion passes unanimously 9-0.

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2024-017 An Ordinance to adopt changes to Amesbury City Council 14th Session Rules by revising Rule 11 A Standing Committees

- President Mandeville read the full proposal into the record.
- Councilor Stanganelli summarized the proposal and states that it would re-establish the joint committee between the City Council and the School Committee as well as creating a standing ad hoc committee of the whole to practically combine existing subcommittees. It is further stated the establishment of a joint committee between the City Council and the School Committee is supported by the School Committee and that the ad hoc committee of the whole would be intended to limit the number of meetings per month, avoid duplicative effort, and avoid issues with reaching a quorum for subcommittee meetings.
- Councilor Frederique asked if Amesbury Community Television would be able to broadcast the newly formed Ad Hoc committee of the whole; multiple councilors expressed confidence that the meetings could be broadcast.
- Councilor Corcoran expressed a concern with every subcommittee existing under one “roof”.
- Councilor Wheeler stated that this committee would have a significant amount of power. It is further stated that the purpose of smaller subcommittees is to divide the work of the council and that putting everything together may create more work. It is further stated that the reason why subcommittees have three members and not five is to comply with open meeting law. It is further stated that having one official City Council meeting per month would create an overly long meeting. It is further stated that the original reason why the Joint Education Committee was abolished was that the committee had not met consistently.
- Councilor Gilday stated support for re-establishing the Joint Education committee. Councilor Gilday expresses concern about all the subcommittees melding but states that Ordinance and Administration could likely meld with Planning and Development, but that Budget and Finance should stay on its own and potentially be re-established as a committee of the whole. It is further stated that there should be two full council meetings per month to accommodate the volume of public comment. It is further stated that matters of finance and presentations from the administration be televised so that members of the public could more readily access those discussions.
- Councilor Hogg stated that there were a lot of duplicative efforts between the subcommittees and the council during the previous session.
- Councilor Redfern asked why the council president and vice president are not allowed to be the chair or vice chair of the subcommittees. Councilor Stanganelli stated that historically it was to allow for a diversity of power and ideas. Councilor Wheeler offered historical context to this and notes that in this proposal that the committee of the whole chair would be very powerful.

- Councilors Gilday, Wheeler, and Stanganelli discussed how five member subcommittees could operate; Councilor Gilday expressed support for two out of the five members being non-councilors and subject matter experts on the various topics. Councilor Wheeler stated that if this were the case that it should be required that the council president select these participants. Councilor Stanganelli stated that according to Massachusetts General Law, in a city, council subcommittees should be made up of only city councilors. Councilor Wheeler asked to table this consideration to confirm if non-councilors are permitted to serve on subcommittees.
- President Mandeville expressed support for a Joint Education Committee. It is further stated that this proposal would establish a committee to debate bills before the council, which would duplicate the work of general council meetings. President Mandeville asked that subcommittee chairs prepare to present debates that occur at subcommittee meetings so that the full council understands the nature of their debate. It is further stated that members of the public should have access to meetings whether it is by minutes or recording. It is further stated that department directors should not present at subcommittee meetings but should instead present at full council meetings where all of the councilors are present and the meeting is broadcast to the public. Opposition was expressed for creating a finance subcommittee of the whole and that the work of the finance subcommittee should be delegated to councilors who are more knowledgeable.
- Councilor Rinaldi stated that subcommittees are advisory and therefore should be able to include non-councilors as members.
- Councilor Wheeler stated support for subcommittees having non-councilor members. It is further stated that the Joint Education Committee did not previously have ex-officio members and expresses opposition to that being established now.

A straw poll was taken to see who would support re-establishing the Joint Education Committee.

- Councilor Hogg expressed concern with prohibiting members from the administration from presenting to subcommittees. Support was stated for requiring the school committee to present to the City Council regularly.
- Councilor Stanganelli stated that the proposal as written has input from both the administration and the school committee and that the purpose of its membership criteria is to create flexibility in its membership to facilitate a free-flowing discussion. Councilor Gilday expressed comfort with the proposal as written.
- A discussion regarding the membership of the Joint Education Committee was had between councilors Mandeville, Gilday, Wheeler, Stanganelli, Rinaldi, Corcoran, and Redfern. The first part of the discussion centered around if ex-officio members would be required to vote; Councilor Wheeler pointed out that ex-officio members could potentially be voting members and if they were in this proposal that the Joint Education Committee could be in violation of open meeting law since a quorum of the School Committee would be voting members on a separate committee. Councilors Gilday and Rinaldi stated that these meetings are more discussion oriented than decision oriented; Councilor Corcoran stated that policies could still be debated. Councilor Gilday asked if attendance could be required for a non-voting member. Councilor Redfern asked if it would be possible to change the language for ex-officio members to instead be invitees who were able to participate in the discussion. Councilor Stanganelli requested that this change be made.

Councilor Stanganelli left meeting at 9:48 PM.

Councilor Wheeler motioned to split the question to only consider the portion of this proposal that would re-establish the Joint Education Committee and to positively recommend that portion of the proposal to the Ordinance and Administration subcommittee while asking them to re-consider language for members of the administration to be non-voting invitees. Seconded by Councilor Gilday. The motion passed unanimously 8-0.

President Mandeville tabled the remaining portion of the proposal for a future meeting.

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2024-018 - An Ordinance to adopt changes to Amesbury City Council 14th Session Rules Rule 5E Order of Business

- President Mandeville read proposal into record. It is stated that this proposal should likely be tabled since it mentions the existence of a standing committee of the whole as referenced in 2024-017 that has not been passed.
- Councilor Gilday expressed concern with the mention of a committee of the whole and with the prescription of the order of the agenda.
- Councilor Wheeler expressed interest in a consent agenda for specific items but not many of the items listed. Opposition is expressed for limiting the type of items that may receive a public hearing and it is stated that the council should consider public hearings on a case-by-case basis.
- Councilor Corcoran stated that this proposal may be a solution in search of a problem.
- Councilor Rinaldi expressed support for a consent agenda.

Councilor Redfern motioned to refer 2024-018 to the Ordinance and Administration subcommittee with a negative recommendation. Seconded by Councilor Gilday. The motion passed 6-0-2.

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2024-019 An Ordinance to adopt changes to Amesbury City Council 14th Session Rules Rule 5B Meeting Schedule

- President Mandeville read proposal into record.
- Councilor Gilday stated support for voting for some of this proposal as is and tabling other portions of the proposal.
- Councilor Wheeler expressed concern with moving to one meeting per month. It is further stated that the language stating “dog hearings” should be changed to “dangerous dog hearings.” It is further stated that the council should not be the ones designated to conduct dangerous dog hearings.
- President Mandeville expressed concern that this proposal contains unrelated items in meeting frequency and dog hearings.

Councilor Wheeler offered a motion to continue the discussion on the agenda at a later date. Seconded by Councilor Gilday. The motion passed unanimously 8-0.

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Adjourn

Councilor Wheeler offered a motion to adjourn at 10:30 PM. Councilor Gilday seconded, and the motion passed unanimously, 8-0.

Respectfully Submitted,

Justin Kaiser